

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, November 20, 2001, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

CYNTHIA P. COAD
CHAIR
Fourth District

JAMES W. SILVA
VICE CHAIR
Second District

CHARLES V. SMITH
SUPERVISOR
First District

TODD SPITZER
SUPERVISOR
Third District

THOMAS W. WILSON
SUPERVISOR
Fifth District

ATTENDANCE: Supervisors: Coad, Smith, Spitzer and Wilson

EXCUSED: Supervisor Silva

PRESENT: COUNTY EXECUTIVE OFFICER Bill Mahoney, Assistant
COUNTY COUNSEL Benjamin P. de Mayo
CLERK OF THE BOARD Darlene J. Bloom

INVOCATION: Supervisor Spitzer, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Smith, First District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chair Coad presented a resolution for "Correctional Health Care Program Accreditation"

Chair Coad presented a resolution for "Fifth Grade Walk of Honor Days"

Chair Coad presented a resolution celebrating "2001 Veteran's Day Parade"

Chair Coad presented a resolution for "Grand Jury Awareness Month 2001"

II. CONSENT CALENDAR (Items 1-45)

31254 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 32 AND 34**
X **WHICH WERE DELETED; ITEMS 2 AND 35 WHICH WERE CONTINUED TO 12/4/01,**
9:30 A.M.; AND ITEMS 8, 15 AND 36 WHICH WERE PULLED FOR DISCUSSION AND
SEPARATE VOTE

S U M M A R Y A C T I O N M I N U T E S

S U M M A R Y A C T I O N M I N U T E S

COMMENDATIONS/PROCLAMATIONS

1. **Supervisor Spitzer** - Adopt resolution congratulating Irvine Park for being voted "Best Park" and "Best Place to Hike" by the Orange County Register's "Best of O.C. 2001" readers' poll
RESO: 01-382

Chair Coad:

2. Adopt resolution approving and recommending Community Health Charities of California Incorporated conduct an annual fund raising campaign for health services County of Orange
31254 **CONTINUED TO 12/4/01, 9:30 A.M.**
 X
3. Adopt resolution recognizing Mary Ann Falk for her outstanding service to County of Orange and District Attorney Family Support Division
RESO: 01-383
4. Adopt resolution commending University of California, Irvine Medical Centers for their internationally recognized quality healthcare service and congratulating them on celebrating their 25th year anniversary
RESO: 01-384
5. **Supervisor Wilson** - Adopt resolution supporting the timely construction of Alton Parkway
RESO: 01-385

COMMUNITY SERVICES AGENCY

6. Approve agreement 9000003229 with University of California, San Francisco for organizing and managing Active Aging Community Task Force, FY 2001/02 (\$8,000); and authorize Area Agency on Aging Executive Director to execute subsequent amendments under certain conditions - All Districts (4/5 vote)
7. Approve title change from Orange County Area Agency on Aging to Orange County Office of Aging, effective 12/1/01 - All Districts
8. Approve Memorandum of Understanding with California Association of Area Agencies on Aging for Community Outreach for Independent Living grant project, 9/1/01 - 6/30/02 (\$14,000) - All Districts
45123 **APPROVED AS RECOMMENDED**
 X

HEALTH CARE AGENCY

9. Approve amended agreement with Healthcare Association of Southern California for Project Management services for Countywide Health Assessment, 7/1/01 - 6/30/02 (\$220,000; new total \$320,000) - All Districts
10. Adopt resolution approving agreement with California Family Health Council for Integration of HIV/AIDS Prevention Services, 9/1/01 - 8/31/02 (\$148,061) and California Infertility Prevention

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Project, 7/1/01 - 12/31/01 (\$5,000) at Family Planning clinics - All Districts

RESO: 01-386

HOUSING AND COMMUNITY DEVELOPMENT

- 11 . Approve amended agreement KM99202 with Brea for single family rehabilitation project, extending term to 6/30/02 - District 3

INTEGRATED WASTE MANAGEMENT DEPARTMENT

- 12 . Approve Right of Entry agreement with Burke Gothard Business Homes Partnership for monitoring activities next to closed Gothard Street Landfill; and make California Environmental Quality Act findings - District 2
- 13 . Approve Safety-Kleen (CA), Inc. as primary and MSE Environmental, Inc. as alternate for household hazardous waste collection and disposal services; and authorize negotiation of agreement for Board approval - All Districts

JOHN WAYNE AIRPORT

- 14 . Approve amended lease with Globe Airport Security Services for installation of baggage screening equipment; and make California Environmental Quality Act and other findings - District 2 (*4/5 vote*)
- 15 . Approve lease with Aloha Airlines, Inc. for passenger air carrier operations, 12/6/01 - 12/31/05; authorize Director to allocate two Regular Class A ADDs, 4/1/02 - 12/31/05; and make California Environmental Quality Act and other findings - District 2 (*RA #4 4/5 vote*)

53124 **CONTINUED TO 12/4/01, 9:30 A.M.**

X

ORANGE COUNTY PUBLIC LIBRARY

- 16 . Approve agreement with Thirtieth Street Architects, Inc. for feasibility study, preparation of grant application documents for Proposition 14 funding, and design for expansion of Laguna Niguel Branch Library, Laguna Niguel (\$80,300) - District 5

PLANNING AND DEVELOPMENT SERVICES

- 17 . Approve action plan for military museum/cultural center at MCAS Tustin; authorize lease negotiation with Department of Navy for building; and return to Board for approval - District 3 (Continued from 10/16/01, Item 23)

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

- 18 . Approve award of contract to HL Miller Construction for replacement of wooden deck and bridge for Joplin Youth Center, Trabuco Canyon (\$44,359) - District 3
- 19 . Authorize release of security for private street improvements, street lights, storm drains and monumentation, Tract 15488, Standard Pacific Corp., Newport Coast area - District 5

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- 20 . Adopt resolution certifying completion of street improvements; authorizing release of securities; and accepting public street improvements, street lights and monumentation, Tract 15489, Standard Pacific Corp., Newport Coast area - District 5
RESO: 01-387
- 21 . Approve agreement D01-093 with Ocean Institute for Marine Life Refuge Coordinator position - Districts 2 & 5
- 22 . Approve agreement D01-121 with Camp Dresser & McKee, Inc. for development assistance, National Pollutant Discharge Elimination System stormwater compliance program (\$200,000) - All Districts
- 23 . Adopt resolution requiring all grants of easements for park/recreational properties be approved by the Board of Supervisors - All Districts
RESO: 01-388
- 24 . Adopt resolution accepting two Irrevocable Offers of Dedication for public beach access and passive recreational uses, Three Arch Bay Beach and 1000 Steps Beach, Laguna Beach; and make California Environmental Quality Act and other findings - District 5
RESO: 01-389
- 25 . Adopt resolution authorizing Director or designee to represent County for contracting with State Water Resources Board for Clean Beaches Initiative grants - Districts 2 & 5
RESO: 01-390
- 26 . **Acting as the Orange County Flood Control District** - Approve amendments to agreement D99-106 with PCR Services Corporation for environmental permitting services - All Districts
- 27 . **Acting as the Board of Supervisors and Orange County Flood Control District** - Select various firms for on-call flood, road, bridge, geotechnical, environmental, resource permit and water quality BMPs services; and authorize negotiation of agreements for Board approval - All Districts

PUBLIC PROTECTION

District Attorney:

- 28 . Adopt resolution approving grant agreement with State Board of Control for continued participation in State Restitution Program, FY 2001-02 (\$87,316); authorize District Attorney or designee to execute subsequent amendments under certain conditions; and make California Environmental Quality Act and other findings - All Districts
RESO: 01-391
- 29 . Adopt resolution approving grant agreement with State Department of Justice for continued participation in Spousal Abuser Prosecution Program, FY 2001-02 (\$120,000); authorize District Attorney or designee to execute future amendments under certain conditions; and make California Environmental Quality Act and other findings - All Districts
RESO: 01-392

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- 30 . Adopt resolution approving submission of grant application and execution of agreement with State Office of Criminal Justice Planning for continued participation in State Major Narcotic Vendors Prosecution Program (\$161,314); authorize District Attorney or designee to execute future amendments under certain conditions; and make California Environmental Quality Act and other findings - All Districts
RESO: 01-393

- 31 . Approve price agreement N1000003621 with Schindler, Cohen & Hochman LLP to represent County and District Attorney Family Support Division in Child Support Enforcement case in New York (\$35,070) - All Districts

- 32 . Approve amendment 2 to price agreement N3000001422 with Executrain for criminal division training services, term ending 11/30/01 (\$16,125) - All Districts

31254 **DELETED**
X

Probation:

- 33 . Approve agreement with City of Orange for gang prevention and suppression services, 7/1/01 - 6/30/02 - District 3

- 34 . Approve amended price agreement N3000002967 with RAND for program evaluation services for Challenge II Program components, independent living skills and respite care programs (\$2,475; new total \$112,249) - All Districts

31254 **DELETED**
X

Sheriff-Coroner:

- 35 . Authorize Sheriff-Coroner to implement Law Enforcement Tow System pilot program; approve license and price agreement N1000003474 with Dispatch and Tracking Solutions, LLC for tow management services, 11/6/01 - 7/4/03; authorize purchasing agent to amend agreements with participating tow companies to increase charge to owners of towed vehicles by an amount not to exceed \$9.00 per vehicle; and direct Sheriff-Coroner to return to Board with report near end of pilot project - All Districts (Continued from 11/6/01, Item 25)

31254 **CONTINUED TO 12/4/01, 9:30 A.M.**
X

- 36 . Approve plans and specifications and set bid opening for 1/9/02, 2:00 p.m., for construction of Theo Lacy Jail expansion, Housing Building B - District 3

34125 **APPROVED AS RECOMMENDED**
X

- 37 . Approve plans and specifications and set bid opening for 1/9/02, 2:00 p.m., for renovation of Theo Lacy Jail Barracks A-E - District 3

- 38 . Approve plans and specifications and set bid opening for 12/19/01, 2:00 p.m., for remodel of office and warehouse space for facilities operations and maintenance, Orange - District 3

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- 39 . Approve Workforce Investment Act Cost Reimbursement agreement with Tomkinson and Associates for services to jail inmates, 7/1/01 - 6/30/02 (\$47,250) - All Districts

- 40 . Approve certification reports for participation of the Department and Regional Narcotics Suppression Program in the Federal Equitable Sharing Program, FY 200-01, narcotics forfeiture assets - All Districts

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GENERAL ADMINISTRATION

- 41 . **County Executive Office** - Receive and file actuarial study of the Orange County Employees Retirement System completed 11/2/00 by Towers Perrin; and direct that the matter be placed on a future Board agenda for consideration of increased retirement benefit for law enforcement members to a 3% at 50 formula - All Districts
- 42 . **Treasurer-Tax Collector** - Adopt resolution approving agreements with Anaheim to sell tax-defaulted real property - All Districts
RESO: 01-394

Supervisor Spitzer:

- 43 . Approve Community Social Program Grant funds to M.A.D.D. Orange County; approve budget adjustments; and make appropriate findings, 11/20/01 - 5/31/02 (\$1,000)
- 44 . Approve Community Social Program Grant funds to Orange Junior Soccer Club; approve budget adjustments; and make appropriate findings, 11/20/01 - 5/31/02 (\$5,000)
- 45 . **Clerk of the Board** - Approve proposed amendments to the Conflict of Interest Code for the Orange County Public Library - All Districts

END OF CONSENT CALENDAR

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III. DISCUSSION ITEMS (Items 46-S67B)

COMMUNITY SERVICES AGENCY

46. Approve amended agreement A-2 with ProPath, Inc. for career transition services for displaced workers from aerospace, defense and airline related industries utilizing Workforce Investment Board Aerospace Network funds, 7/1/01 - 6/30/02 (\$1,200,000) - All Districts (4/5 vote)

31254 **APPROVED AS RECOMMENDED**
X

47. Approve amendment 2 to agreement 00-H222 with Hawthorne to serve dislocated workers from aerospace, defense and airline related industries utilizing Workforce Investment Act funds, 7/1/01 - 12/30/02 (\$2,000,000) - All Districts (4/5 vote)

53124 **APPROVED AS RECOMMENDED**
X

HEALTH CARE AGENCY

48. Approve agreements with La Habra and Anaheim for animal care and shelter services, FY 2001-02 - Districts 3 & 4

43125 **APPROVED AS RECOMMENDED**
X

INTEGRATED WASTE MANAGEMENT DEPARTMENT

49. Receive bids and award contract to C.W. Poss, Inc./Fleming Engineering, Inc. Joint Venture for construction of Zone 1 phase C-1 groundwater protection composite liner, Prima Deshecha Landfill (\$4,089,961) - District 5

54123 **APPROVED AS RECOMMENDED**
X

50. Approve price agreement N1000003930 with Shepherd Machinery Corporation for service, maintenance and repair of heavy equipment for Central Regional Landfill operations, 12/1/01 - 11/30/04 (\$3,000,000 per year); renewable for two additional years - District 3

31254 **CONTINUED TO 12/4/01, 9:30 A.M.**
X

JOHN WAYNE AIRPORT

51. Approve award of contract to Sequel Contractors, Inc. for pavement repair and maintenance (not to exceed \$1,000,000); and make California Environmental Quality Act findings - District 2

53124 **APPROVED AS RECOMMENDED**
X

52. Status Report regarding discretionary spending of John Wayne Airport revenues and related Board actions - All Districts

31254 **RECEIVED AND FILED**

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PUBLIC FACILITIES AND RESOURCES DEPARTMENT

53. Approve award of contract to All American Asphalt for overlay resurfacing of various streets (\$3,863,740.80) - All Districts

15234 **APPROVED AS RECOMMENDED**

X

54. Approve change orders 13 (\$35,009.46) and 14 (\$84,022.52; new total \$1,509,084.60) with Dennis J. Amoroso Construction Company, Inc. for construction of Central Justice Center-Jury Assembly Room expansion - District 1

13254 **APPROVED AS RECOMMENDED**

X

SOCIAL SERVICES AGENCY

55. Select MAXIMUS, Inc. for CalWORKS case management services, 4/1/02 - 12/31/04 (\$19,841,183); and Curtis and Associates, Inc. for CalWORKS job services, employment support and job retention services, 4/1/02 - 12/31/04 (\$37,292,646); and authorize negotiation of agreements for Board approval - All Districts

B.O. **DELETED**

56. Approve amended agreements with Orangewood Children's Foundation, 2/1/01 - 1/31/03 (\$1,313,378; new total \$1,780,717); Midway City Collaborative, 8/1/01 - 6/30/02 (\$213,539; new total \$488,539); La Habra Community Collaborative, 10/1/01 - 9/30/02 (\$94,625; new total \$494,625); and CHAT Grant Service Providers, 10/1/01 - 9/30/02 (\$94,200; new total \$474,052) for Families and Communities Together services; and authorize Agency to extend agreements under certain conditions - All Districts

34125 **APPROVED AS RECOMMENDED**

X

57. Approve price agreement N1000003963 with Transnational Computer Technology for temporary Computer Assistance Technician services, 11/21/01 - 11/20/02 (\$394,710); renewable for two additional years - All Districts

53124 **APPROVED AS RECOMMENDED**

X

PUBLIC PROTECTION

58. **Sheriff-Coroner** - Adopt resolution approving amended grant agreement with State Office of Criminal Justice Planning for California Cold Hit Program to fund public crime laboratory services ending 10/1/02 (\$251, 226; new total \$680,778) - All Districts

13254 **APPROVED AS RECOMMENDED**

X

RESO: 01-395

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GENERAL ADMINISTRATION

59. **Assessor Department** - Approve authorization to sell Business Property Statement 571-L E-File software to individual California counties (\$65,000); and authorize Assessor to adjust sale price up to 15% to cover costs of enhancements - All Districts

B.O. **DELETED**

County Executive Office:

60. Adopt resolution approving financing terms, documents and issuance of Apartment Development Revenue Bonds, Issue C of 2001 (\$13,773,000) for Talega Jamboree Apartments; and other related matters - District 5

53124 **APPROVED AS RECOMMENDED**

X

RESO: 01-396

61. **Acting as the Board of Supervisors** - Approve in concept, proposed financing for Newport Coast Phase IV Assessment District 01-1; select a financing team; adopt resolutions accepting petition and determining special assessment proceedings; approving boundary map; declaring intention to initiate and conduct special assessment proceeding and provide for issuance, sale and delivery of limited obligation bonds; approve reimbursement agreement 01-011R with The Irvine Company for proposed formation of Newport Coast Phase IV Assessment District 01-1, Issuance of Limited Obligation improvement Bonds; other related matters; and approve due Diligence Plan; **Acting as the Board of Supervisors and Assessment District 88-1 (Irvine Coast) and 92-1 (Newport Ridge); Reassessment District 94-1 (Golden Lantern); Newport Coast Reassessment Districts 99-01R and 01-01R; Community Facilities Districts 86-1, 86-2, 87-5A - 87-5E (Rancho Santa Margarita); 87-1 (Dimensions Business Park); 87-2 (Portola Hills); 87-3 (Mission Viejo); 87-4 (Foothill Ranch) 87-6 (Baker Ranch); 87-7 (Los Alisos); 87-8 (Coto de Caza); 87-9 (Santa Teresita); 88-1 (Aliso Viejo); 88-2 (Lomas Laguna); 99-1, 2000-1 and 2001-1 (Ladera Ranch)** - Approve amended agreement 01-009DE with Van Dell and Associates for district engineering administration services; and approve due Diligence Plan - District 5

53124 **APPROVED AS RECOMMENDED**

X

RESO: 01-397 - 01-399

62. **Acting as Community Facilities District No. 2001-1 (Ladera Ranch)** - Approve in concept, bond financing of public improvements; and approve due diligence plan - District 5

53124 **APPROVED AS RECOMMENDED**

63. **Acting as Community Facilities District No. 99-1 (Ladera Ranch)** - Approve in concept, the proposed refunding of Series A of 1999 Special Tax Bonds; and selection of financing team - District 5

53124 **APPROVED AS RECOMMENDED**

X

64. **Supervisor Smith** - Reconsideration of an Ordinance Authorizing Voluntary Certification of Residential Alcohol and Drug Recovery Facilities (Continued from 8/28/01, Item 49; 10/16/01, Item 81;

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11/06/01, Item 53)

B.O. **CONTINUED TO 12/11/01. 9:30 A.M.**

EXTERNAL RESTRUCTURING PROGRAM FOR THE COUNTY OF ORANGE

65. At this time Members of the Board of Supervisors and/or the County Executive Office may report on and discuss activities related to the External Restructuring Program for the County of Orange. Approve the following action:

A. Approve agreement with City of Orange regarding proposed annexation of fourteen unincorporated areas.

B.O. **CONTINUED TO 12/11/01, 9:30 A.M.**

ORANGE COUNTY CHILDREN AND FAMILIES COMMISSION

66. At this time Members of the Board of Supervisors and/or the County Executive Office may report on and discuss activities related to the Orange County Children and Families Commission

51234 **RECEIVED AND FILED**

X

STRATEGIC/FINANCIAL PLAN UPDATE

67. At this time Members of the Board of Supervisors and/or the County Executive Office may report on and discuss activities related to the development of Strategic/Financial Plan for the County of Orange, including the Performance Measurement Program ("Results Oriented Government")

45123 **RECEIVED AND FILED**

X

GENERAL ADMINISTRATION

S67A. **Chair Coad** - Consideration of funding a paid public service notice, promoting approved brochure entitled "Terrorism: A to Guide Domestic Preparedness"

B.O. **DELETED**

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

S67B. Ratify emergency purchasing actions taken by PFRD to clean up major water damage and debris caused by plumbing failure, Harbor Justice Center, Newport Beach; and approve agreements with Preferred Restoration and Munters - District 2

51234 **APPROVED AS RECOMMENDED**

X

IV. PUBLIC HEARINGS (Item 68)

PLANNING AND DEVELOPMENT SERVICES

68. Public Hearing to consider adopting resolution certifying Final Recirculated EIR 576; adopting resolution amending Foothill/Trabuco Specific Plan; adopting ordinance" An Ordinance of the County of Orange,

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California, Adopted Pursuant to the State Planning and Zoning Laws, Amending the Foothill/Trabuco Specific Plan" creating Joplin Boys Ranch District; adopting resolution approving Public Facility Master Plan 01-0094; and authorizing Probation to pursue necessary property acquisition for access road - District 3 (Continued from 10/23/01, Item 75; 11/6/01, Item 57)

B.O. **CONTINUED TO 12/11/01, 9:30 A.M.**

V. CLOSED SESSION

GENERAL ADMINISTRATION

County Counsel:

SCS1. CONFERENCE WITH LEGAL COUNSEL- THREATENED LITIGATION: County Counsel requests a closed session for the Board of Supervisors to consider threatened litigation (one case), pursuant to Government Code Section 54956.9(b)(3)(D) - All Districts

B.O. **HELD, NO REPORTABLE ACTION**

SCS2. CONFERENCE WITH LEGAL COUNSEL-PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: County of Orange v. Orange County Assessment Appeals Board No. 3, OCSC Case No. 00CC03385 - All Districts

B.O. **HELD, CONTINUED TO 12/4/01, 9:30 A.M.**

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Toni Pinnolis, Barry Hammond: Oral RE: Land use issue involving land required by CalTrans for roadway uses without compensation.

BOARD COMMENTS:

Supervisors Coad and Spitzer: Oral RE: Public Comments by Toni Pinnolis - directed CEO to investigate matter and provide Board with a status report and further directed County Counsel to schedule a closed session on this matter.

Supervisors Coad and Smith: Oral RE: Brochure entitled, "Terrorism: A Guide to Domestic Preparedness". Appreciation of cooperative agency efforts in development of brochure. Directed County Counsel to schedule a closed session routinely to discuss County's preparedness issues and risk assessment.

Board Members: Oral RE: Register article regarding error in Engineer's Report on cost of electricity for lessees of the MCAS El Toro Base and increase of lease to existing base child care center lessee forcing closure.

ADJOURNED: 11:45 A.M.

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*** KEY ***

Left Margin Notes

1. v Supervisor Smith
2. v Supervisor Silva
3. v Supervisor Spitzer
4. v Chair Coad
5. v Supervisor Wilson

- A. v Abstained
X. v Excused
N. v No
BOv Board Order

Right Margin Notes

- O. v Ordinance
R. v Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

CYNTHIA P. COAD, CHAIR
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board